

**SVANTE MYRICK**

August 31, 2022

**VIA EMAIL**

Rich John, Chairman  
Tompkins County Ethics Advisory Board  
Governor Daniel D. Tompkins Building  
121 East Court Street, 2<sup>nd</sup> Floor  
Ithaca, New York 14850  
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**Re: Ethics Investigation (Complaint of Cynthia Brock)**

Dear Rich:

I write in response to your letter, dated July 14, 2022<sup>1</sup>, regarding the ethics complaint (the “Complaint”) filed with the Tompkins County Ethics Advisory Board (the “Board”) by Alderperson Cynthia Brock and the Board’s requests for information and materials in connection therewith. Although the allegations asserted by Alderperson Brock are clearly a baseless and improper attempt to expand the scope of the Board’s authority to litigate political and personal grievances, I do appreciate the Board’s time and consideration of this matter.

**I. Relevant Background.**

As an initial matter, it is important to understand the context under which the City of Ithaca (the “City”) and Tompkins County (the “County”) embarked on the Reimagining Public Safety (“RPS”) initiative and the process by which the City and County developed their reports, “Public Safety, reimagined. A collaborative between the City of Ithaca & Tompkins County, N.Y.” (the “RPS Report”, attached hereto as Exhibit A) and “Implementing the City of Ithaca’s New Public Safety Agency” (the “Implementation Report”, attached hereto as Exhibit B; together with the RPS Report, the “Reports”). This is particularly important considering Alderperson Brock’s endeavors – after failing to halt the adoption of the Implementation Report through the appropriate political channels – to derail the Implementation Report’s recommendations by spreading disinformation and unfairly painting the RPS initiative and Working Group as illegitimate. Such characterization is not only dishonest, but perhaps more importantly, a disservice to the countless members of the community and City and County staff who worked tirelessly to develop solutions to real issues that address genuine concerns held by members of our community.

After the murder of George Floyd on May 25, 2020, like many communities throughout the country, the City and County saw unprecedented public demonstrations against police brutality and in favor of police reform. Thereafter, on June 12, 2020, Governor Cuomo issued an executive order (the “Executive Order”) directing local governments to:

- (i) “[P]erform a comprehensive review of current police deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities

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<sup>1</sup> As I previously informed you via email on August 4, 2022, due to business travel, I did not receive your letter until August 2022.

served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color”; and

(ii) “[C]onvene the head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program.”<sup>2</sup>

The Executive Order also required that “[s]uch plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021.”

Accordingly, and with an appreciation for the complex and sensitive nature of the issues that the City was tasked with addressing pursuant to the Executive Order, I began seeking local non-profit partners to assist in coordinating this initiative. Unfortunately, due to previous experiences that our local non-profit organizations have had with similar City and County initiatives, whereby they had unfairly become the target of political attacks (not unlike the current matter), the City was unable to find a local partner willing to assist the City with the RPS initiative.

After being unable to identify local partners willing to assist in the RPS initiative, I began researching and contacting leaders of other municipalities to identify nationally recognized organizations with experience coordinating community-based police reform initiatives. The response I received, and what my research confirmed, was that the Center for Policing Equity (“CPE”)<sup>3</sup> was indisputably *the* most well-regarded organization in the nation for leading community-based police reform initiatives. Thereafter, in late July 2020, I contacted CPE’s Co-Founder and CEO, Dr. Phillip Goff, to inquire as to whether CPE would be interested in partnering with the City to assist in coordinating the RPS initiative. Dr. Goff immediately responded confirming that CPE would be happy to assist, and furthermore, that CPE could provide this assistance for free.

Next, in early August 2020, the City solicited the feedback from community members to begin developing the scope of RPS initiative. On August 7, 2020, I held a public kickoff event with community members via Zoom to discuss the initial feedback the City had received and to outline potential next steps.<sup>4</sup> Two representatives from CPE, Dominique Johnson (Senior Director Community Engagement) and Rob Kenter (Director of Law Enforcement Field Engagement), also attended the kickoff event to introduce themselves and explain the services they would provide with respect to coordinating community engagement and developing data-driven, evidence-based strategies.

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<sup>2</sup> State of New York, Executive Order 203 (June 12, 2020), *available at* [https://www.governor.ny.gov/sites/default/files/atoms/files/EO\\_203.pdf](https://www.governor.ny.gov/sites/default/files/atoms/files/EO_203.pdf).

<sup>3</sup> Center for Policing Equity, <https://policingequity.org/>.

<sup>4</sup> Reinvent Public Safety Kickoff, *available at* <https://www.youtube.com/watch?v=7G4Zb1dDIJQ>.

Shortly after the kickoff event, Tompkins County Administrator, Jason Molino, contacted me to express his interest in collaborating with the City and CPE in the RPS initiative so that the City and County, being the two largest law enforcement agencies in the County, could develop a comprehensive strategy to solicit feedback from community members that would serve as the basis for the recommendations ultimately set forth in the RPS Report. County administrative leaders then interviewed CPE and determined they were qualified.<sup>5</sup> On September 16, 2020, the County and City officially announced the “Public Safety Reform” Collaborative.

In the months that followed, the City and County, with the assistance of CPE, engaged in one of, if not the most, comprehensive community engagement initiatives in the history of the City and the County. Feedback was collected from community members via online surveys, general community forums, targeted focus groups and individual interviews.<sup>6</sup> The focus from the outset was to ensure that the process was community centered and transparent. To this end, the City and County provided regular updates via public meetings and townhalls and maintained a website with information on the RPS initiative’s progress, meeting minutes, and ways for community members to stay involved.<sup>7</sup>

The feedback collected throughout this process was then compiled by City and County staff, who then synthesized this feedback to produce a draft of the RPS Report. The City and County published the draft RPS Report on February 22, 2021 and solicited additional feedback from the community via public forums and an online survey. The final version of the RPS Report was then submitted to Common Council and County Legislature in March 2021, and resolutions adopting the RPS Report were approved by an 11-2 vote by the County Legislature and unanimously by Common Council.<sup>8</sup>

Following the adoption of the RPS Report, the City engaged in “Phase II” of the RPS initiative, which focused on the implementation of the RPS Report’s most ambitious recommendation – the establishment of a new public safety agency. At the request of the RPS Working Group co-Chairs, Eric Rosario and Karen Yearwood, CPE was again asked to assist in this process, and CPE again graciously agreed to do so on a pro-bono basis. The RPS Working Group was comprised of 22 City residents, including 4 members of Common Council, 3 Ithaca Police Department officers, and members of County and City staff that served as technical advisors. In addition to the primary RPS Working Group, there were also 4 subcommittees tasked with addressing: (i) staffing levels, shift assignment, beat design; (ii) training, technology and equipment needs; (iii) data analysis and recommendations; and (iv) proposed operating budget.

The RPS Working Group held 16 meetings between July 2021 and the presentation of the Implementation Report to Common Council on March 2, 2022. Likewise, the subcommittees began meeting in September of 2021 and each met between 9 and 13 times, before sharing their suggestions on which they had reached a consensus to the larger RPS Working Group for inclusion in the Implementation Report. As noted in the Implementation Report, the City and County held numerous in-person and virtual community forums where community members could share their feedback and ideas with the RPS Working

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<sup>5</sup> See Tompkins County, N.Y., Public Safety Committee, August 20, 2022 Meeting Minutes, *available at* <https://tompkinscountyny.iqm2.com/Citizens/FileOpen.aspx?Type=12&ID=3166&Inline=True>.

<sup>6</sup> See Tompkins County, N.Y., Reimagining Public Safety Collaborative, <https://www.tompkinscountyny.gov/ctyadmin/reimaginepublicsafety>; RPS Report, Ex. A, pp. 10-19.

<sup>7</sup> See Reimagining Public Safety, Ithaca & Tompkins County, N.Y., [www.publicsafetyreimagined.org](http://www.publicsafetyreimagined.org).

<sup>8</sup> County Legislature Resolution (March 30, 2021), *available at* <https://www.tompkinscountyny.gov/files2/2021-04/Master%20Final%20Document%20Tompkins%20County.pdf>; Common Council Resolution (March 31, 2021), <https://www.tompkinscountyny.gov/files2/2021-04/Master%20Final%20Document%20City%20of%20Ithaca.pdf>.

Group, and the community was kept apprised of on updates through both the public forums and information made available via the RPS website and email list.<sup>9</sup>

## **II. Response to Complaint**

### **a. The Scope of the Complaint is Beyond the Board's Authority**

As I understand was made clear in the in the City's recent letter to the Board, the Board's authority is limited to issuing "advisory opinions... with respect to [New York General Municipal Law ("GML") Article 18] and any code of ethics adopted pursuant hereto."<sup>10</sup> I would like to reiterate the City's objection to the allegations contained in Paragraphs 1, 5, 6, and 7 of the Complaint, as such matters are clearly outside the scope of the Board's advisory authority set forth in GML Article 18.

Furthermore, Paragraph 8 of the Complaint asks that the Board determine whether the Report can "be deemed to be impartial, unbiased, and appropriate for recommending legislative changes in accordance with the county and City Ethics Code." Although I understand that a determination to the contrary is Alderperson Brock's ultimate political objective, such a broad conclusion is also clearly beyond the Board's authority to issue advisory opinions with respect to matters of ethics, as set forth in GML Article 18 and applicable codes of ethics adopted pursuant thereto.

Moreover, putting the clear legal limitations of the Board's authority under GML Article 18 aside, I respectfully encourage the Board to consider the implications and potential unintended consequences of expanding the limits of its authority to weigh in on political issues. I understand that this is one of the first, if not the first, inquiry of this kind that the Board has addressed. As such, this investigation will set an important precedent for the types of matters that may properly be submitted and reviewed by the Board in the future.

To be sure, the Complaint is an unprecedented attempt to establish the Board as a body empowered to provide general oversight of every political and policy-making decision made by County officials and employees, and those of the respective municipalities encompassed therein. Such broad and undefined authority would position the Board as the final arbiter on a wide range of political disagreements when, as is the case here, complainants are unable to achieve their objectives through the appropriate political channels and processes.

To this point, it is important that the Board understand the context and timing of Alderperson Brock's filing of the Complaint. As noted above, the RPS Report was approved unanimously by Common Council – including Alderperson Brock – on March 30, 2021. At this time, much of the substance of the allegations in the Complaint were public and known to members of Common Council, including the involvement of CPE and my employment by People for the American Way. In addition, the scope of the recommendations addressed by the Implementation Report, which Alderperson Brock now opposes, is identical to the corresponding recommendations set forth in the RPS Report and the resolution adopted unanimously by Common Council on March 31, 2021.<sup>11</sup> However, in the time between the City and County's adoption of the RPS Report in March 2021 and Alderperson Brock's filing of the initial version of the Complaint on April 12, 2022, two important developments occurred that highlight Alderperson Brock's underlying motivations:

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<sup>9</sup> Implementation Report, Ex. B, pp. 12-13.

<sup>10</sup> N.Y. Gen. Mun. Law § 808(2).

<sup>11</sup> Common Council Resolution at p. 3 (March 31, 2021), <https://www.tompkinscountyny.gov/files2/2021-04/Master%20Final%20Document%20City%20of%20Ithaca.pdf>.

- After a series of closed-door meeting between Alderperson Brock and the Ithaca Police Benevolent Association (the “PBA”), Alderperson Brock received the endorsement of the PBA and financial support from the “New York Public Safety Alliance, a Super PAC recently formed by the PBA for the express purpose of supporting Cynthia Brock’s election. It is no secret that the PBA is vehemently opposed to the recommendations in the Report.
- In January 2022, following my announcement that I intended to resign from my position as mayor, Alderperson Brock reached out to me directly to express her interest in being appointed acting mayor. When I informed Alderperson Brock that I had already made the decision to appoint then Alderperson Laura Lewis acting mayor, she made her disapproval of my decision very clear, expressing that she felt she was entitled to the position due to her status as the longest-standing active member of Common Council.

To be clear, I am not suggesting that Alderperson Brock’s courting of political supporters, change of position on the RPS initiative or disapproval of my decision to appoint then Alderperson Laura Lewis acting mayor are in any way nefarious or ethically improper. As both an individual and an elected official, she has the right to determine, change and express her political views as she sees fit. I only raise these issues to highlight the precarious nature of this investigation and to illustrate the potential political and personal grievances the Board may be called on to address, either directly or indirectly, should it not use this opportunity to properly define the scope and limitations of its advisory authority.

I understand that the Board has recently requested a written opinion from its outside counsel regarding the scope of its authority with respect to its investigation of the allegations in the Complaint. I respectfully request that such opinion be made public, and to the extent the Board decides to continue its investigation into any of the allegations in the Complaint, that it confirms the specific provisions of GML Article 18 and/or the City’s Code of Ethics upon which its continued review and investigation will be based.

b. The Substance of the Complaint is Baseless

As noted above, through her Complaint and public comments, Alderperson Brock is attempting to politicize the Board and demand that it investigates almost every aspect of the RPS process, regardless of whether the allegations have any relation to matters of ethics covered by GML Article 18. It is notable that the Complaint only includes a single, vague citation to the City’s Code of Ethics, without specifying which provision has purportedly been violated, and does not reference GML Article 18 whatsoever. Despite the inherent unfairness in being asked to respond to a complaint alleging ethics violations, without being provided any details or clarification with regard to the specific provisions of the applicable ethics codes that have purportedly been violated, and subject to my objections set forth in Section II(a) above, I will briefly respond to the baseless allegations set forth in the Complaint.

At its core, the Complaint seeks to undermine the legitimacy of the RPS process by asserting that the recommendations in the Report were somehow tainted by the involvement of outside, not-for-profit organizations. However, it does not take issue with the recommendations in the report itself or otherwise articulate any legitimate basis as to how these recommendations – derived solely from input received from community members and data provided by the Ithaca Police Department – could have been affected by the involvement of these outside organizations. Instead, and in lieu of asserting any specific violations of any applicable codes of ethics, the Complaint sets forth a number of broad allegations and requests that the Board conduct a thorough investigation to determine if there is a plausible basis to assert an ethics violation in the first instance.

The allegations and requests for investigation set forth in the Complaint focus on three areas of purported concern: (1) payments made to RPS Working Group co-Chairs, members and subcommittee members by the Park Foundation and Dorothy Cotton Institute; (2) the engagement and involvement of CPE on a pro-bono basis; and (3) my outside employment by People for the American Way during my tenure as mayor.

i. Payments to RPS Working Group Co-Chairs, Members & Sub-Committee Members

Contrary to Alderperson Brock's false assertion, I did not solicit the Park Foundation or Dorothy Cotton Institute to donate funds to support the RPS initiative, nor did any "designee" solicit these organizations on my behalf. It is my understanding that the Park Foundation and Dorothy Cotton Institute approached the City.

At that time, the City was grappling with the inherent unfairness of constantly requesting that individuals from marginalized communities provide volunteer services to the City for free. This issue was magnified by the RPS initiative, which required hundreds of hours of time from community volunteers, a large portion of which were from marginalized communities. As a result, the decision was made that, like the members of the Ithaca Police Department and other City and County staff that were compensated for their time participating in the RPS initiative, the co-Chairs and members of the RPS Working Group, as well as the members of the subcommittees, should likewise be compensated for their time and input, and that the funding offered by the Park Foundation and Dorothy Cotton Institute would be appropriate for these stipends.

However, unbeknownst to the City, rather than these funds being provided to the City and then paid to participants via the disbursement procedure outlined above, it appears the funds went directly to participants. This is, at worst, was an administrative miscommunication, and not one that implicates any ethical matters contemplated by GML Article 18 or the City's Code of Ethics.

Notably, the members of the RPS Working Group and subcommittees were likely not aware that these stipends were funded by the Park Foundation and Dorothy Cotton Institute until they received the stipends. Moreover, these stipends were provided purely to compensate these individuals for their time and the services provided in connection with the RPS initiative, with no contingencies or expectations communicated to them with respect to the substance of the resulting recommendations. As a result, there is no basis to assert that these payments resulted in any bias or conflict of interest with regard to the RPS initiative and the recommendations in the Reports.

ii. Engagement and Involvement of CPE

As set forth above, the engagement and involvement of CPE was not only disclosed, but publicized, at every stage of the RPS process. Given CPE's unparalleled expertise in the area of community-based police reform initiatives, it is hard to fathom what basis Alderperson Brock may have to challenge its qualifications. That CPE was willing to assist the City and County in the RPS initiative for free, at a time when both were reeling from the loss of sales tax revenue as a result of the COVID-19 pandemic, was a blessing for all involved and I do not believe we could have gathered the unprecedented level of community input necessary to produce the Reports without CPE's assistance.

Furthermore, Alderperson Brock's assertion that CPE's partnership with the City and County somehow violates ethical standards is baseless and ignores the important role that non-profits play in providing necessary services to our community. As noted in CPE's response to the Complaint, a finding

that a municipality's ability to partner and collaborate with non-profits somehow constitutes an ethics violation, "if taken to its logical conclusion, would imperil The American Cancer Society, the Salvation Army, and Habitat for Humanity, as well as nearly every other nonprofit organization in the country."<sup>12</sup> During my tenure as mayor, I saw firsthand how our community, and particularly those in most need of assistance, has benefited from partnerships between the City and non-profits. One need not look any further than the countless programs that are made possible through the funding and assistance of organizations like the United Way, Loaves and Fishes, and Ithaca Neighborhood Housing Services to understand how important these partnerships are to City residents.

CPE's partnership with the City and County with respect to the RPS initiative is no different. Their experience and guidance with respect to coordinating a comprehensive community-based approach to police reform were invaluable. CPE's assistance was limited to providing administrative assistance and insight, based on its experience conducting campaigns in other municipalities, with regard to coordinating community outreach. Alderperson Brock's assertions that CPE "directed the agenda, discussions, as well as the work and pace of meetings, and that CPE contributed to the discussions as subject matter experts" is in line with this scope and the assistance specifically requested by the RPS Working Group. However, her assertion that such activities were conducted "at the exclusion of local law enforcement, the District Attorney or other local experts" is demonstrably false, and Alderperson Brock does not provide any evidence to support this baseless assertion or to otherwise demonstrate that the substance of any of the recommendations in the Reports were in anyway biased by CPE's assistance in coordinating the RPS process.

### iii. My Employment by People for the American Way

Alderperson Brock's assertion that my employment by People for the American Way ("PFAW") somehow constituted "an actual or perceived conflict of interest" is similarly baseless. As an initial matter, mayors are permitted to hold outside employment. Likewise, mayors are permitted to seek policy outcomes. In this case, the policy outcome I was seeking was a much-needed reimagining of the City's police department. There is no basis to assert that there existed a conflict of interest, or that I somehow violated the City's Code of Ethics, based solely on the fact that PFAW's mission, "to build a democratic society that implements the ideals of freedom, equality, opportunity and justice for all,"<sup>13</sup> and related campaigns aligned with my political stances and the policy outcomes I was advocating for as mayor. In fact, my employment by PFAW was specifically disclosed each year on the City's Annual Statement of Financial Disclosure (attached hereto as Exhibit C), in accordance with the City's Code of Ethics.

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<sup>12</sup> Center for Policing Equity Issues Statement on Ithaca's Ongoing Reimagining Public Safety Dialogue (May 4, 2022), <https://policingequity.org/newsroom/press-releases/center-for-policing-equity-issues-statement-on-ithaca-s-ongoing-reimagining-public-safety-dialogue>.

<sup>13</sup> People for the American Way, About Us, <https://www.pfaw.org/about-us/>.

### **III. Responses to Requests for Information and Materials**

Notwithstanding, and subject to, my objections with regard to the scope of the Complaint and the Board's advisory authority discussed in Section II(a) above, as well the opinion from the Board's outside counsel regarding same, I respond to the Board's requests for information as follows:

1. **How was the Center of Policing Equity ("CPE") identified as a possible partner in both the Reimagining Public Safety ("RPS") Plan and RPS Working Group?**

**RESPONSE:**

Following the Governor's issuance of the Executive Order, and with an appreciation for the complex and sensitive nature of the issues that the City was tasked with addressing pursuant to the Executive Order, I began seeking local non-profit partners to assist in coordinating this initiative. Unfortunately, due to previous experiences that our local non-profit organizations have had with similar City and County initiatives, whereby they had unfairly become the target of political attacks (not unlike the current matter), the City was unable to find a local partner to assist the City in coordinating and compiling community feedback in connection with the RPS initiative.

After being unable to identify local partners willing to assist in the RPS initiative, I began researching and contacting leaders of other municipalities to identify nationally recognized organizations with experience coordinating community-based police reform initiatives. The response I received, and what my research confirmed, was that the Center for Policing Equity ("CPE")<sup>14</sup> was indisputably *the* most well-regarded organization in the nation for leading community-based police reform initiatives. Thereafter, in late July 2020, I contacted CPE's Co-Founder and CEO, Dr. Phillip Goff, to inquire as to whether CPE would be interested in partnering with the City to assist in coordinating the RPS initiative. Dr. Goff immediately responded confirming that CPE would be happy to assist, and furthermore, that CPE could provide this assistance for free.

Next, in early August 2020, the City solicited the feedback from community members to help shape the scope of the work for the RPS Working Group. On August 7, 2020, I held a public kickoff event with community members via Zoom to discuss the initial feedback the City had received and to outline potential next steps.<sup>15</sup> Two representatives from CPE, Dominique Johnson (Senior Director Community Engagement) and Rob Kenter (Director of Law Enforcement Field Engagement), also attended the kickoff event to introduce themselves and explain the services they would provide with respect to coordinating community engagement and developing data-driven, evidence-based strategies.

Shortly after the kickoff event, Tompkins County Administrator, Jason Molino, contacted me to express his interest in collaborating with the City and CPE in the RPS initiative so that the City and County, being the two largest law enforcement agencies in the County, could develop a comprehensive strategy to solicit feedback from community members that would serve as the basis for the recommendations ultimately set forth in the Report. County administrative leaders then interviewed CPE and determined they were qualified.<sup>16</sup> On September 16, 2020, the County and City officially announced the "Public Safety Reform" Collaborative.

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<sup>14</sup> Center for Policing Equity, <https://policingequity.org/>.

<sup>15</sup> Reinvent Public Safety Kickoff, *available at* <https://www.youtube.com/watch?v=7G4Zb1dDIJQ>.

<sup>16</sup> See Tompkins County, N.Y., Public Safety Committee, August 20, 2022 Meeting Minutes, *available at* <https://tompkinscountyny.iqm2.com/Citizens/FileOpen.aspx?Type=12&ID=3166&Inline=True>.

2. **What was the process for considering, investigating, reviewing and/or selecting the CPE as the lead partner in both the RPS Plan and the RPS Working Group?**

**RESPONSE:** I no longer have access to my City emails or any other relevant documents and communications. However, it is my recollection that, after CPE was identified as a potential partner, City and County administrative leaders interviewed representatives from CPE and determined they were qualified.

3. **On what basis or qualifications was CPE selected?**

**RESPONSE:**

I no longer have access to my City emails or any other relevant documents and communications. However, by any measure, CPE is supremely qualified. They've helped reform policing systems all over the United States, including similar initiatives in New York, New York and Los Angeles, California. Furthermore, their leadership team is extremely impressive:

- **Dr. Phillip Atiba Goff, Co-founder and CEO.** In addition to serving as CPE's Co-Founder and CEO, Dr. Goff is a Professor of African-American Studies and Psychology at Yale University. He received his BA from Harvard and PhD in Psychology from Stanford. He quickly became a national leader in the science of racial bias by pioneering scientific experiments that exposed how our minds learn to associate Blackness and crime implicitly—often with deadly consequences.
- **Dr. Tracie L. Keesee, Co-founder and Senior Vice President of Justice Initiatives.** Dr. Keesee served as the first ever, Deputy Commissioner of Equity and Inclusion for NYPD. She also served as the Deputy Commissioner of Training for NYPD. Dr. Keesee is a retired 25-year veteran of the Denver Police Department and holds a Bachelor of Arts degree in Political Science from Metropolitan State College-Denver, academic certifications in Public Policy and Public Administration and a Master of Arts degree in Criminal Justice from the University of Colorado at Denver, and a Ph.D. in Intercultural Communications from the University of Denver, and a Diversity and Inclusion Certification from Cornell University. She is also a graduate of the 203rd Session of the FBI National Academy at Quantico, Virginia. Dr. Keesee has published numerous articles across a variety of collected anthologies and peer-reviewed scientific journals.
- **Rob Kenter, Director of Law Enforcement Field Engagement.** Mr. Kenter served over 30 years with the Norfolk Police Department before retiring in April 2020. He has extensive experience in the Field Operations and Administrative Service Bureaus, the last six years of his time with the NPD he served as a special assistant to the Chief in charge of special projects, research and data analysis. His own academic work focuses on southern politics, healthcare reform and network governance. His work has appeared in Social Science Quarterly, Politics and Policy, Politics and the Life Sciences, and Police Chief. He also co-authored a book State Politics and the Affordable.

In addition to the unmatched experience and credentials offered by CPE and its leadership team, it is my recollection that the expansive resources CPE was able to offer the City and County and its willingness and ability to do so for free – at a time when both the City and County were forced to make serious budget cuts as a result of the economic impact of the COVID-19 pandemic – were both important considerations in the City and County's decision to select CPE as a partner in the RPS initiative.

**4. What was the scope of goods and/or services which CPE provided the City?**

**RESPONSE:** I no longer have access to my City emails or any other relevant documents and communications. However, it is my recollection that CPE provided research support, meeting facilitation, community engagement tools, and report formatting.

**5. Was any other consultant, contractor, vendor or entity identified or considered? If so, please identify any other consultant, contractor, vendor or entity identified and the reason(s) not considered and/or selected.**

**RESPONSE:** As noted above, I initially sought local non-profit partners to assist in coordinating this initiative. However, due to previous experiences that our local non-profit organizations have had with similar City and County initiatives, whereby they had unfairly become the target of political attacks, they demurred because they feared that leading this work would cause reactionaries to target them.

I also contacted the Law Enforcement Action Partnership (“LEAP”)<sup>17</sup>, another nationally recognized leader in police reform initiatives. However, LEAP is a much smaller organization, and it was determined that they did not have the necessary resources to adequately support the RPS initiative.

**6. If CPE was funded by the City, was a Request for Proposal (“RFP”), Request for Quote (“RFQ”) or other procurement process conducted?**

**RESPONSE:** CPE was not funded by the City.

**7. If CPE was not funded by the City, how was it funded and from which source(s)?**

**RESPONSE:** I do not have any direct knowledge of CPE’s funding sources. However, it is my understanding that, like many other national and local non-profit organizations (e.g., Habitat for Humanity, Red Cross, Rescue Mission, United Way, Loaves and Fishes), CPE is funded by donations from individuals and foundations.

**8. If CPE donated any of its goods, services or work to the City, was that donation approved by the Common Council? If so, when?**

**RESPONSE:** No, not to my knowledge. Although I defer to the City as to the specific regulations and guidelines governing the acceptance of donations, it was my understanding that the acceptance of the services provided to the City and County by CPE did not require a resolution by Common Council.

**9. What was the process for considering, investigating, and selecting Matrix Consulting Group to conduct a report on police patrol staffing and deployment?**

**RESPONSE:** I was not involved in the process of considering, investigating and selecting Matrix Consulting Group (“Matrix”). Although I was not involved in this process, it is my understanding that Matrix was selected by CPE and that they were extremely qualified for this role as one of the few – if not the only – groups that had performed and produced similar analyses and reports for other municipalities.

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<sup>17</sup> Law Enforcement Action Partnership, <https://lawenforcementactionpartnership.org/>.

**10. If Matrix Consulting was funded by the City, was an RFP, RFO and/or another procurement process conducted?**

RESPONSE: Matrix was not funded by the City.

**11. If Matrix Consulting was not funded by the City, how was it funded and from which source(s)?**

RESPONSE: As noted above, I was not involved in the process for selecting Matrix or determining how their services would be funded. However, it is my understanding the Matrix was funded by CPE.

**12. How were the members of the RPS Working Groups selected and by whom?**

RESPONSE: I selected the members of the RPS Working Group based on their connections to and work with marginalized communities, their expertise in organizational management, and with the goal of ensuring that the members of the RPS Working Group represented the full range of interested parties.

**13. To your knowledge was any compensation, payment, reimbursement or remuneration offered, promised or pledged to Eric Rosario for service as co-leader or member of the RPS Working Group? If so, the date(s) of all promises, the amount(s) promised and source(s) of payments.**

RESPONSE: Yes. When I asked Mr. Rosario to serve as a co-Chair of the RPS Working Group, I agreed that he should be compensated at \$20,000 for his work and expertise. As I no longer have access to my City emails or any other relevant documents and communications, I am unsure of the exact date on which this conversation took place, but I believe it took place when I asked for Eric's service.

**14. To your knowledge was any compensation, payment, reimbursement or remuneration offered, promised or pledged to Karen Yearwood for service as coleader or member of the RPS Working Group? If so, the date(s) of all promises, the amount(s) promised and source(s) of payments.**

RESPONSE: Yes. When I asked Ms. Yearwood to serve as a co-Chair of the RPS Working Group, I agreed that he should be compensated at \$20,000 for his work and expertise. As I no longer have access to my City emails or any other relevant documents and communications, I am unsure of the exact date on which this conversation took place, but I believe it took place when I asked for Ms. Yearwood's service.

**15. To your knowledge were any awards, contributions, donations, endowment, funding, grants or other funding applied for, requested, solicited or otherwise arranged from any third-party individual, entity or organization to compensate, pay, reimburse or otherwise remunerate co-leaders and/or members of the RPS Working Group? If so, identify the individual, entity or organization and dates of any requests or solicitations.**

RESPONSE: I am not aware of any efforts on behalf of the City to solicit funds from third parties to compensate the co-Chairs and/or members of the RPS Working Group. It is my understanding that the Park Foundation and Dorothy Cotton Institute approached the City.

**16. Did the City receive any award, contribution donation, endowment, grant or other funding from the Park Foundation with respect to the RPS initiative? If so, the amount.**

**RESPONSE:** Yes, but as I no longer have access to my City emails, I do not recall the amount nor do I have the ability to confirm same against the relevant communications and documents.

**17. What were the circumstances and process by which the City received any award, contribution, donation, endowment, grant or other funding from the Park Foundation with respect to the RPS initiative/process?**

**RESPONSE:** I no longer have access to the grant agreements or other relevant documents and communications. However, it is my understanding that the Park Foundation and Dorothy Cotton Institute approached the City.

At that time, the City was grappling with the inherent unfairness of constantly requesting that individuals from marginalized communities provide services to the City for free. This issue was magnified by the RPS initiative, which required hundreds of hours of time from RPS Working Group members and subcommittee members – representing a wide range of stakeholders, including a number of marginalized communities. As a result, the decision was made that, like the members of the City’s police department that were compensated for their time participating in the RPS initiative, the co-Chairs and members of the RPS Working Group, as well as the members of the subcommittees, should likewise be compensated for their time and input, and that the funding offered by the Park Foundation and Dorothy Cotton Institute would be appropriate for these stipends.

**18. The date(s) and amount(s) of any award, donation, grant or funding from the Park Foundation which were for or used in connection with the RPS Plan and/or RPS Working Group.**

**RESPONSE:** I do not recall the dates and amounts of the funding from the Park Foundation and no longer have access to relevant documents and communications to confirm same.

**19. Was any award, contribution, donation, endowment, grant or other funding from the Park Foundation approved by the Common Counsel? If so, when?**

**RESPONSE:** No, not to my knowledge. I defer to the City as to the specific regulations and guidelines governing the acceptance of donations, and whether the acceptance of a donation from the Park Foundation would require a resolution by Common Council.

**20. Were there any conditions, contingencies, limitations or restrictions on the use of the award, contribution, donation, endowment, grant or other funding from the Park Foundation? If so, please describe.**

**RESPONSE:** I no longer have access to the relevant documents and communications. However, to the best of my knowledge and recollection, there were no conditions, contingencies, limitations or restrictions on the use of the funding offered by the Park Foundation.

**21. Did the City receive any award, contribution, donation, endowment, grant or other funding from the Dorothy Cotton Institute and/or the Center for Transformative Action with respect to the RPS initiative? If so, the amount.**

**RESPONSE:**

Yes, but as I no longer have access to my City emails from my time as mayor, I do not recall the amount nor do I have the ability to confirm same against the relevant communications and documents.

**22. What were the circumstances and process by which the City received any award, contribution, donation, endowment, grant or other funding from the Dorothy Cotton Institute and/or the Center for Transformative Action with respect to the RPS initiative/process?**

**RESPONSE:** I no longer have access to the grant agreements or other relevant documents and communications. However, it is my understanding that the Park Foundation and Dorothy Cotton Institute approached the City.

At that time, the City was grappling with the inherent unfairness of constantly requesting that individuals from marginalized communities provide services to the City for free. This issue was magnified by the RPS initiative, which required hundreds of hours of time from RPS Working Group members and subcommittee members – representing a wide range of stakeholders, including a number of marginalized communities. As a result, the decision was made that, like the members of the City’s police department that were compensated for their time participating in the RPS initiative, the co-Chairs and members of the RPS Working Group, as well as the members of the subcommittees, should likewise be compensated for their time and input, and that the funding offered by the Park Foundation and Dorothy Cotton Institute would be appropriate for these stipends.

**23. Were there any conditions, contingencies, limitations, preconditions, prerequisites or restrictions on the use of the award, contribution, donation, endowment, grant or other funding from the Dorothy Cotton Institute and/or the Center for Transformative Action? If so, please describe.**

**RESPONSE:** I no longer have access to the relevant documents and communications. However, to the best of my knowledge and recollection, there were no conditions, contingencies, limitations or restrictions on the use of funding offered by the Dorothy Cotton Institute.

**24. Was any award, contribution, donation, endowment, grant or other funding from the Dorothy Cotton Institute and/or Center for Transformative Action approved by the Common Council? If so, when?**

**RESPONSE:** No, not to my knowledge. I defer to the City as to the specific regulations and guidelines governing the acceptance of donations, and whether the acceptance of a donation from the Dorothy Cotton Institute would require a resolution by Common Council.

**25. Inclusive dates of your employment by People for the American Way, including all positions, duties, responsibilities and compensation.**

**RESPONSE:**

- Beginning in January 2017, I have served as a Director for People For the American Way. In this capacity I led programs to support young elected officials, the African American Ministers Association, young progressive activists, and ran trainings in how to run successful movement campaigns, all of which were administered and funded primarily by PFAW's non-profit (i.e., 501(c)(3)) arm.
- In February 2022, I was appointed to the position of full-time Executive Director, which added to my roles fundraising, donor cultivation, media and public speaking roles, as well as continuing my work to build strategic partnerships and advance PFAW's public safety and democracy reform initiatives.

My employment at PFAW was disclosed each year on the City's Annual Statement of Financial Disclosure (attached hereto as Exhibit C), in accordance with the City's Code of Ethics. In addition, my employment was publicly disclosed by press releases issued by PFAW.<sup>18</sup>

I object to the Board's request for information regarding my compensation in connection with my employment by PFAW, as the disclosure of such personal information is not required under GML Article 18 or the City's Code of Ethics.

**26. Please provide any other information or materials you believe would assist the Board in its investigation.**

**RESPONSE:** I do not have any additional information or materials to provide at this time.

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<sup>18</sup> See, e.g., PFAW Foundation Announces Svante Myrick as Director of Youth Leadership Programs, <https://www.pfaw.org/press-releases/pfaw-foundation-announces-svante-myrick-as-director-of-youth-leadership-programs/>; People For the American Way Announces the Full-time Appointment of Ithaca Mayor Svante Myrick as Executive Director of the People For, <https://www.pfaw.org/press-releases/people-for-the-american-way-announces-the-full-time-appointment-of-ithaca-mayor-svante-myrick-as-executive-director-of-the-people-for-foundation/>.